

**Joseph Miller - Re: US Dist. Court Case 6:18-cv-00550 White v City of Turner- Deposition  
Subpoenas for Myers & Clausen (LR 7.1 Conferral)**

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**From:** Dan Thenell <dan@thenelllawgroup.com>  
**To:** Joseph Miller <JCMiller@co.marion.or.us>  
**Date:** 3/22/2019 5:08 PM  
**Subject:** Re: US Dist. Court Case 6:18-cv-00550 White v City of Turner- Deposition Subpoenas for  
Myers & Clausen (LR 7.1 Conferral)

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If you don't provide a date I will notice them when the attorneys in this case are available. Based on the testimony of LT Hunter they clearly have potentially discoverable information.

I will be seeking sanctions against Marion County every time it files a frivolous objection to discovery going forward in this case.

**Daniel E. Thenell**

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On Mar 22, 2019, at 4:55 PM, Joseph Miller <JCMiller@co.marion.or.us> wrote:

Mr. Thenell,

I have received your Deposition Subpoenas for the following Marion County Sheriff's Office personnel: Sheriff Jason Myers and Undersheriff Troy Clausen. Marion County objects to these subpoenas on the following grounds:

- Relevance under FRCP 26(b)(1), as:
  - Marion County is not a party to this matter; and
  - The fact witness who made the investigative findings in the Professional Standards Investigation regarding Deputy Chris White has already been deposed,
- No identified subject matter as the basis for deposition(s) is identified in the subpoena; and

- Lack of conferral on subject matter regarding the deposition as your office currently has other pending legal matters involving these MCSO personnel.

Today, we just agreed to search terms for retrieving emails in the Subpoena *Duces Tecum* issued to the Marion County Sheriff's Office Custodian of Records. At this point in discovery in this matter, I do not think it is appropriate to schedule depositions of individual MCSO personnel until responsive documents to the Subpoena *Duces Tecum* have been provided. Marion County and the Marion County Sheriff's Office are not parties to this matter and these continued discovery requests, in such a piecemeal fashion, are unduly burdensome to my clients as a non-party to this matter. Please withdraw your Deposition Subpoenas or I will be forced to file new Motions to Quash.

Very Respectfully,

Joe Miller  
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Marion County Counsel  
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